

CITATION – PERSONAL SERVICE – TRCP 99

THE STATE OF TEXAS

2018-DCL-06220-A

James Thatcher  
VS  
Dargel Boats, Inc.

§ IN THE 107TH DISTRICT COURT  
§ OF  
§ CAMERON COUNTY, TEXAS

TO **Dargel Boats, Inc.**  
**Registered Agent: Cleve M. Ford**  
**4110 N. FM 493**  
**Donna TX 78537-5088, GREETING:**

**NOTICE TO DEFENDANT:** "You have been sued. You may employ an attorney. If you or your attorney does not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of 20 days after the date you were served this citation and petition, a default judgment may be taken against you." TRCP. 99

You are hereby commanded to appear by filing a written answer to **Plaintiff's Original Petition** at or before 10:00 o'clock A.M. on the Monday next after the expiration of 20 days after the date of service of this citation before the Honorable 107th District Court of Cameron County, at the Courthouse in said County in Brownsville, Texas. Said **Plaintiff's Original Petition** was filed in said court on **October 24, 2018**, in the above entitled cause.

The file number of said suit being  
**2018-DCL-06220-A**

The style of the case is:  
**James Thatcher**  
**vs.**  
**Dargel Boats, Inc., Yamaha Motor Corporation,**  
**USA, Unknown Retailers 1 through 9**

The nature of Petitioner's demand is fully shown by a true and correct copy of **Plaintiff's Original Petition** accompanying this citation and made a part hereof.

The officer executing this writ shall promptly serve the same according to requirements of law, and the mandates thereof, and make due return as the law directs.

Issued and given under my hand and seal of said Court at Brownsville, Texas, on this the 26th day of October, 2018.

ATTORNEY:  
ROBERTO RENE GARCIA  
07645210  
(956)668-7400  
PO Box 5729  
McAllen TX 78502-5729



Eric Garza  
District Clerk of Cameron County  
974 E Harrison St.  
Brownsville, Texas 78520

By:   
Miriam Longoria, Deputy Clerk

EXHIBIT

1

2018-DCL-06220-A 107th District Court	James Thatcher vs. Dargel Boats, Inc., Yamaha Motor Corporation, USA, Unknown Retailers 1 through 9
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**RETURN OF SERVICE**

Executed when copy is delivered:

This is a true copy of the original citation, was delivered to defendant \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

NAME/ADDRESS FOR SERVICE

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ Officer  
County, TX

By: \_\_\_\_\_ Deputy

**OFFICERS RETURN**

Came to hand on the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ m and \_\_\_\_\_ County, Texas, by delivering to each of the within named defendants in person, a true copy of this \_\_\_\_\_ with the date of delivery endorsed thereon, together with the accompanying copy of the \_\_\_\_\_ at the following times and places, to wit:

NAME	DATE/TIME	PLACE/COURSE/DISTANCE FROM COURTHOUSE

And not executed as to the defendant(s) \_\_\_\_\_

The diligence used in finding said defendant(s) being: \_\_\_\_\_

and the cause or failure to execute this process is: \_\_\_\_\_

and the information received as to the whereabouts of said defendant(s) being: \_\_\_\_\_

FEES:

SERVING PETITION/COPY \$ \_\_\_\_\_

TOTAL: \$ \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_ Officer  
County, TX

By: \_\_\_\_\_ Deputy

AFFIANT

**COMPLETE IF YOU ARE A PERSON OTHER THAN A SHERIFF, CONSTABLE, OR CLERK OF THE COURT.**

In accordance with Rule 107: The officer or authorized person who serves, or attempts to serve, a citation shall sign the return. The signature is not required to be verified. If the return is signed by a person other than a sheriff, constable or the clerk of the court, the return shall be signed under penalty or perjury and contain the following statement:

"My name is \_\_\_\_\_, my date of birth is \_\_\_\_\_, my address is \_\_\_\_\_

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

EXECUTED in \_\_\_\_\_ County, State of \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

ID Number/Expiration of Certification \_\_\_\_\_

Declarant/Authorized Process Server \_\_\_\_\_

FILED  
2018-DCL-06220  
10/29/2018 5:13 PM  
Eric Garza  
Cameron County District Clerk  
By Christina Hernandez Deputy Clerk  
28643878

**RETURN OF SERVICE**

State of Texas

County of Cameron

107th District Court

Case Number: 2018-DCL-06220-A

Plaintiff:  
James Thatcher

vs.

Defendant:  
Dargel Boats, Inc.

Received these papers on the 26th day of October, 2018 at 10:01 am to be served on Dargel Boats, Inc. Registered Agent: Cleve M. Ford, 4110 N FM 493, Donna, TX 78537.

I, RUTH FLYNN PSC 7275 EXP 8/31/19, do hereby affirm that on the 26th day of October, 2018 at 3:10 pm, I:

served a REGISTERED AGENT by delivering a true copy of the Citation/ Plaintiff's Original Petition with the date and hour of service endorsed thereon by me, to: Cleve M. Ford as Registered Agent at the address of: 4110 N FM 493, Donna, TX 77537 on behalf of Dargel Boats, Inc., and informed said person of the contents therein, in compliance with state statutes.

"My name is Ruth Flynn (First, Last), my date of birth is 12/02/41, and my address is 516 West Vista Ave, McAllen, TX 78501 (Street, City, State, Zip Code), and McAllen (County). I declare under penalty of perjury that the foregoing is true and correct. Executed in McAllen (County), State of Texas, on the 26th Day of Oct, 2018. Ruth Flynn (First, Last name) declarant."

Ruth Flynn  
RUTH FLYNN PSC 7275 EXP 8/31/19  
Process Server

Our Job Serial Number: BBW-2018007575

CITATION – PERSONAL SERVICE – TRCP 99

THE STATE OF TEXAS

2018-DCL-06220-A

James Thatcher  
VS  
Dargel Boats, Inc.

§ IN THE 107TH DISTRICT COURT  
§ OF  
§ CAMERON COUNTY, TEXAS

TO **Dargel Boats, Inc.**  
**Registered Agent: Cleve M. Ford**  
**4110 N. FM 493**  
**Donna TX 78537-5088, GREETING:**

**NOTICE TO DEFENDANT:** "You have been sued. You may employ an attorney. If you or your attorney does not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of 20 days after the date you were served this citation and petition, a default judgment may be taken against you." TRCP. 99

You are hereby commanded to appear by filing a written answer to **Plaintiff's Original Petition** at or before 10:00 o'clock A.M. on the Monday next after the expiration of 20 days after the date of service of this citation before the Honorable 107th District Court of Cameron County, at the Courthouse in said County in Brownsville, Texas. Said **Plaintiff's Original Petition** was filed in said court on **October 24, 2018**, in the above entitled cause.

The file number of said suit being  
**2018-DCL-06220-A**

The style of the case is:  
**James Thatcher**  
**vs.**  
**Dargel Boats, Inc., Yamaha Motor Corporation,**  
**USA, Unknown Retailers 1 through 9**

The nature of Petitioner's demand is fully shown by a true and correct copy of **Plaintiff's Original Petition** accompanying this citation and made a part hereof.

The officer executing this writ shall promptly serve the same according to requirements of law, and the mandates thereof, and make due return as the law directs.

Issued and given under my hand and seal of said Court at Brownsville, Texas, on this the 26th day of October, 2018.

ATTORNEY:  
ROBERTO RENE GARCIA  
07645210  
(956)668-7400  
PO Box 5729  
McAllen TX 78502-5729



Eric Garza  
District Clerk of Cameron County  
974 E Harrison St.  
Brownsville, Texas 78520

By:   
Miriam Longoria, Deputy Clerk

**2018-DCL-06220-A**  
**107th District Court**

**James Thatcher**  
**vs.**  
**Dargel Boats, Inc., Yamaha Motor Corporation,**  
**USA, Unknown Retailers 1 through 9**

### RETURN OF SERVICE

Executed when copy is delivered:

This is a true copy of the original citation, was delivered to defendant \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

NAME/ADDRESS FOR SERVICE

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_ Officer  
 \_\_\_\_\_ County, TX

By: \_\_\_\_\_ Deputy

### OFFICERS RETURN

Came to hand on the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ m and \_\_\_\_\_ County, Texas, by delivering to each of the within named defendants in person, a true copy of this \_\_\_\_\_ with the date of delivery endorsed thereon, together with the accompanying copy of the \_\_\_\_\_ at the following times and places, to wit:

NAME	DATE/TIME	PLACE/COURSE/DISTANCE FROM COURTHOUSE

And not executed as to the defendant(s), \_\_\_\_\_

The diligence used in finding said defendant(s) being: \_\_\_\_\_

and the cause or failure to execute this process is: \_\_\_\_\_

and the information received as to the whereabouts of said defendant(s) being: \_\_\_\_\_

FEES:

SERVING PETITION/COPY \$ \_\_\_\_\_

TOTAL: \$ \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_ Officer  
 \_\_\_\_\_ County, TX

By: \_\_\_\_\_ Deputy

AFFIANT

### COMPLETE IF YOU ARE A PERSON OTHER THAN A SHERIFF, CONSTABLE, OR CLERK OF THE COURT.

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"My name is \_\_\_\_\_, my date of birth is \_\_\_\_\_, my address is \_\_\_\_\_"

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

EXECUTED in \_\_\_\_\_ County, State of \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

ID Number/Expiration of Certification \_\_\_\_\_

Declarant/Authorized Process Server \_\_\_\_\_



CITATION – PERSONAL SERVICE – TRCP 99

THE STATE OF TEXAS

**2018-DCL-06220-A**

James Thatcher  
VS  
Dargel Boats, Inc.

§ IN THE 107TH DISTRICT COURT  
§ OF  
§ CAMERON COUNTY, TEXAS

TO **Yamaha Motor Corporation, USA**  
**Registered Agent: The Prentice Hall Corporation System**  
**211 E. Seventh Street, Suite 620**  
**Austin TX 78701, GREETING:**

**NOTICE TO DEFENDANT: "You have been sued. You may employ an attorney. If you or your attorney does not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of 20 days after the date you were served this citation and petition, a default judgment may be taken against you." TRCP. 99**

You are hereby commanded to appear by filing a written answer to **Plaintiff's Original Petition** at or before 10:00 o'clock A.M. on the Monday next after the expiration of 20 days after the date of service of this citation before the Honorable 107th District Court of Cameron County, at the Courthouse in said County in Brownsville, Texas. Said **Plaintiff's Original Petition** was filed in said court on **October 24, 2018**, in the above entitled cause.

The file number of said suit being  
**2018-DCL-06220-A**

The style of the case is:  
**James Thatcher**  
**vs.**  
**Dargel Boats, Inc., Yamaha Motor Corporation,**  
**USA, Unknown Retailers 1 through 9**

The nature of Petitioner's demand is fully shown by a true and correct copy of **Plaintiff's Original Petition** accompanying this citation and made a part hereof.

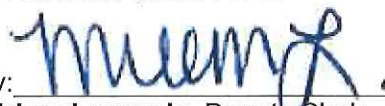
The officer executing this writ shall promptly serve the same according to requirements of law, and the mandates thereof, and make due return as the law directs.

Issued and given under my hand and seal of said Court at Brownsville, Texas, on this the 26th day of October, 2018.

ATTORNEY:  
ROBERTO RENE GARCIA  
07645210  
(956)668-7400  
PO Box 5729  
McAllen TX 78502-5729



Eric Garza  
District Clerk of Cameron County  
974 E Harrison St.  
Brownsville, Texas 78520

By:   
Miriam Longoria, Deputy Clerk

2018-DCL-06220-A 107th District Court	James Thatcher vs. Dargel Boats, Inc., Yamaha Motor Corporation, USA, Unknown Retailers 1 through 9
--	--

**RETURN OF SERVICE**

Executed when copy is delivered:

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NAME/ADDRESS FOR SERVICE

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_ Officer  
 \_\_\_\_\_ County, TX

By: \_\_\_\_\_ Deputy

**OFFICERS RETURN**

Came to hand on the \_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_ o'clock \_\_\_\_ m and \_\_\_\_\_ County, Texas, by delivering to each of the within named defendants in person, a true copy of this \_\_\_\_\_ with the date of delivery endorsed thereon, together with the accompanying copy of the \_\_\_\_\_ at the following times and places, to wit:

NAME	DATE/TIME	PLACE/COURSE/DISTANCE FROM COURTHOUSE

And not executed as to the defendant(s) \_\_\_\_\_

The diligence used in finding said defendant(s) being: \_\_\_\_\_

and the cause or failure to execute this process is: \_\_\_\_\_

and the information received as to the whereabouts of said defendant(s) being: \_\_\_\_\_

FEES:

SERVING PETITION/COPY \$ \_\_\_\_\_

TOTAL: \$ \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_ Officer  
 \_\_\_\_\_ County, TX

By: \_\_\_\_\_ Deputy

AFFIANT

**COMPLETE IF YOU ARE A PERSON OTHER THAN A SHERIFF, CONSTABLE, OR CLERK OF THE COURT.**

In accordance with Rule 107: The officer or authorized person who serves, or attempts to serve, a citation shall sign the return. The signature is not required to be verified. If the return is signed by a person other than a sheriff, constable or the clerk of the court, the return shall be signed under penalty or perjury and contain the following statement:

"My name is \_\_\_\_\_, my date of birth is \_\_\_\_\_, my address is \_\_\_\_\_

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

EXECUTED in \_\_\_\_\_ County, State of \_\_\_\_\_, on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

ID Number/Expiration of Certification \_\_\_\_\_

Declarant/Authorized Process Server \_\_\_\_\_

**AFFIDAVIT OF SERVICE**

FILED  
2018-DCL-06220  
10/30/2018 2:56 PM  
Eric Garza  
Cameron County District Clerk  
By Brenda Ramirez Deputy Clerk  
28668884  
107th District Court

**State of Texas**

**County of Cameron**

Case Number: 2018-DCL-06220-A

Plaintiff:

**James Thatcher**

vs.

Defendant:

**Dargel Boats, Inc.**

For:

Bobby Garcia

THE LAW OFFICE OF BOBBY GARCIA

5301 S. McColl Road

Edinburg, TX 78539

Received by Pronto Process (San Antonio) on the 26th day of October, 2018 at 10:07 am to be served on **Yamaha Motor Corporation, Usa Registered Agent: The Prentice Hall Corporation System, 211. E. Seventh Street, Suite 620, Austin, TX 78701.**

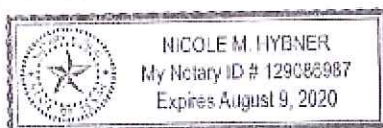
I, Mike Techow, being duly sworn, depose and say that on the **26th day of October, 2018 at 3:10 pm, I:**


delivered to **REGISTERED AGENT** by delivering a true copy of the **Citation/ Plaintiff's Original Petition** with the date of service endorsed thereon by me, to: **Vanessa Hernandez, The Prentice Hall Corporation System as Authorized Agent** at the address of: **211. E. Seventh Street, Suite 620, Austin, TX 78701** on behalf of **Yamaha Motor Corporation, Usa**, and informed said person of the contents therein, in compliance with state statutes.

I certify that I am over the age of 18, of sound mind, have no interest in the above action. The facts stated in this affidavit are within my personal knowledge and are true and correct.

Subscribed and Sworn to before me on the 26th day of October, 2018 by the affiant who is personally known to me.

  
NOTARY PUBLIC



  
Mike Techow  
PSC-1215, Exp. 7/31/20

Pronto Process (San Antonio)  
P.O. Box 7819  
San Antonio, TX 78207  
(210) 226-7192

Our Job Serial Number: BBW-2018007574

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